

Message Text

CONFIDENTIAL

PAGE 01 BERLIN 05641 021935Z

50

ACTION SCA-01

INFO OCT-01 EUR-12 ISO-00 INR-07 SS-15 INSE-00 L-02 H-02

CIAE-00 A-01 /041 W

----- 006061

P R 021720Z MAY 75

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC PRIORITY 0000

INFO AMEMBASSY BONN

AMCONSUL FRANKFURT

USMISSION USBERLIN

C O N F I D E N T I A L BERLIN 5641

DEPARTMENT FOR SCA, VO, AND EUR/CE

E.O. 11652: GDS

TAGS: PFOR, CGEN, CVIS, GE

SUBJECT: GDR HUMANITARIAN CASES: EMBASSY APPROACH TO GDR FOREIGN
MINISTRY ON US IMMIGRANT VISA REQUIREMENTS

REF: STATE 096576

1. AFTER REQUEST FOR MEETING ON APRIL 28, EMBOFFS WERE GIVEN
APPOINTMENT AT CONSULAR DEPARTMENT, FOREIGN MINISTRY (MFAA)
(SEIDEL AND KOLASA) ON APRIL 30 AT WHICH POINTS CONTAINED
IN PARA. 5, REFTEL. WERE MADE. EMBOFFS WERE RECEIVED
POLITELY.

2. WITH REGARD TO GENERAL LEGAL BASIS OF IV AND NIV ISSUANCE,
EMBOFFS REFERRED TO PERTINENT SECTIONS OF INVA AND NOTED THAT
NIV CAPABILITY IS ALREADY FUNCTIONING WITH A LITTLE LESS THAN
600 NIVS ISSUED SINCE EMBASSY OPENED IN DECEMBER, 1974. SEIDEL
AND KOLASA SEEMED FAMILIAR WITH DISTINCTIONS IN US LAW BETWEEN
THE TWO TYPES OF SYSTEMS AS WELL AS DIFFERENCES BETWEEN IMMEDIATE
RELATIVES, PREFERENCE CASES, AND NON-PREFERENCE APPLICANTS.

3. WITH REGARD TO MEDICAL EXAMINATION REQUIREMENTS, AFTER
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 05641 021935Z

ACKNOWLEDGING EMBOFF'S EXPLANATIONS AS TO PRINCIPAL US CONCERNS,

E.G. SECTION 212(A)1 THROUGH 7 OF THE INA, GDR OFFICIALS CONFIRMED THAT ARRANGEMENTS FOR ESTABLISHMENT OF PANEL OF PHYSICIANS HAD NECESSARILY TO BE MADE THROUGH MFAA AND THAT THEY WOULD BE BACK TO US WHEN THEY HAD COMPLETED DISCUSSIONS WITH THE GDR HEALTH MINISTRY. EMBOFFS SAID THAT PHYSICIANS WHO UNDERSTOOD ENGLISH WOULD BE PARTICULARLY USEFUL AS THEY WOULD HAVE TO WORK WITH FS-398 AND USPHS REGULATIONS WHICH WERE IN ENGLISH.

4. WITH REGARD TO DOCUMENTS, GDR OFFICIALS INDICATED THAT "IN PRINCIPLE" THERE SHOULD BE NO PROBLEMS FOR VISA APPLICANTS APPLYING TO THEIR LOCAL REGISTRY OFFICES AND POLICE STATIONS FOR SUCH DOCUMENTS, WHICH WOULD BE PROCESSED "NORMALLY" THERE MIGHT WELL BE PROBLEMS IN MILITARY SERVICE CERTIFICATE AND THEY PROMISED TO CHECK THIS MATTER WITH THE "MILITARY AUTHORITIES". FINALLY, THEY NOTED THAT, IN CASES OF PERSONS WHO HAD BEEN SENTENCED TO PRISON TERMS, POLICE CERTIFICATES WOULD BE ISSUED WHICH INDICATED THAT THEY HAD BEEN CONVICTED FOR SPECIFIC OFFENSES AND THAT SUCH PERSONS WERE ALWAYS GIVEN COPIES OF THE JUDGMENTS IN SUCH CASES. THEY WOULD NOT, HOWEVER, BE ABLE TO OBTAIN COPIES OF ENTRIES IN THE "STRAFREIGISTER", A PRISON RECORD IN WHICH CERTAIN DETAILS ARE NOTED WHICH THE GDR DOES NOT WISH THE INDIVIDUAL TO KNOW ABOUT. SUCH DOCUMENTS, IF NEEDED, COULD BE OBTAINED BY REQUESTS PASSED FROM CONCERNED US COURTS VIA JUSTICE MINISTRY CHANNELS TO GDR COURTS. WE CANNOT ENVISAGE WHEN SUCH DOCUMENTS WOULD BE NEEDED IF POLICE CERTIFICATES AND JUDGMENTS ARE AVAILABLE IN INDIVIDUAL CASES.

5. GDR OFFICIALS ALSO SAID THAT POLICE RECORDS WOULD NOT REPEAT NOT INDICATE OFFENSES IF THEY HAD BEEN EXPUNGED FROM THE RECORD BY PARDON OR AMNESTY OR OTHER ADMINISTRATIVE ACT OF THE GDR GOVERNMENT. THIS COULD CAUSE PROBLEMS IN THE FUTURE; HOWEVER, WE DO NOT BELIEVE IT WOULD BE PRODUCTIVE TO RAISE THIS MATTER WITH THE GDR AT THIS TIME.

6 COMMENT: EMBOFFS EMPHASIZED TO GDR OFFICIALS THAT WE WOULD LIKE TO GET OUR IV SYSTEM FUNCTIONING QUICKLY. THEY HAVE SAID THAT THEY UNDERSTAND THIS. NEVERTHELESS, WE BELIEVE PROBLEMS OF IMPLEMENTATION COULD STILL ARISE SUCH AS:

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BERLIN 05641 021935Z

A. WE HAVE NO ASSURANCE THAT THE MFAA WILL ANSWER US AS RAPIDLY AS WE WOULD WISH ON THE MEDICAL QUESTION. THEY MAY HAVE PROBLEMS WITH THE GDR HEALTH MINISTRY AND THEY MAY WELL NOT FEEL THAT THIS IS AS URGENT FOR THEM AS IT IS FOR US. THEN, TOO, WE DO NOT KNOW HOW LONG IT WILL TAKE FOR THE DETAILS TO BE WORKED OUT AS WE WORK WITH THE PHYSICIANS WE HOPE WE WILL BE DIRECTED TOWARD.

B. IT IS NOT CLEAR THAT THE "APPROVAL IN PRINCIPLE" ON THE DOCUMENTS MATTER WILL BE MATCHED BY SPEEDY AND SATISFACTORY PROCESSING OF INDIVIDUAL REQUESTS TO LOCAL POLICE STATIONS AND REGISTRY OFFICES BY OUR CLIENTS. SOME OF OUR HUMANITARIAN CASES TELL US THAT THEY ARE SUBJECTED TO PAINFUL BUREAUCRATIC NITPICKING AT THESE VERY OFFICES, EVEN IN THE CASE OF THE "FIRST ROUND FIVE". OUR DIPLOMATIC COLLEGUES AT OTHER WESTERN EMBASSIES HAVE CONFIRMED TO US THAT "APPROVALS IN PRINCIPLE" OFTEN FOUNDER WHEN IT COMES TO PRACTICAL IMPLEMENTATION. IT ALL BOILS DOWN TO HOW INTERESTED THE GDR REALLY IS IN GETTING THESE PEOPLE OUT OF THEIR COUNTRY AND INTO THE US. WE WILL HAVE TO KEEP AN EYE ON THIS BASIC MATTER OF INTENTIONS AT TIME GOES ON.GROVE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, TRAVEL CONTROLS, CONSULAR AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 02 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BERLIN05641
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750155-0121
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750584/aaaacylv.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 STATE 096576
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 25 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: WITHDRAWN <10 Jun 2003 by MorefiRH, INA>; RELEASED <25 JUN 2003 by MorefiRH>; APPROVED <25 JUN 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GDR HUMANITARIAN CASES: EMBASSY APPROACH TO GDR FOREIGN MINISTRY ON US IMMIGRANT VISA REQUIREMENTS
TAGS: PFOR, CGEN, CVIS, GC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006